

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

| | | |
|----------------------------------|---|--------------------------------------|
| HUGHETTE CRUMPLER, | : | Case No. C-1-02-131 |
| Plaintiff | : | Judge Susan J. Dlott |
| v. | : | |
| TELXON CORPORATION et al. | : | PLAINTIFF HUGHETTE CRUMPLER'S |
| Defendants. | : | INITIAL DISCLOSURES |
| | : | PURSUANT TO RULE 26(a) |

Pursuant to Fed.R.Civ.P. 26(a)(1), Plaintiff Hughette Crumpler hereby serves her initial disclosures on counsel for Defendants Telxon Corporation and Symbol Technologies, Inc. (collectively, "Defendants"). These disclosures are based on information currently and reasonably available to Crumpler.

1. Individuals likely to have discoverable information

- a. Hughette Crumpler
648 West Wellington, Apt. 2-W
Chicago, IL 60657
773-472-8880 (may be contacted through counsel)

Ms. Crumpler has knowledge of all facts surrounding her negotiations with Telxon and its president, John Paxton; the terms and conditions of her employment with Telxon; the execution of the contracts at issue; her employment with Telxon; her knowledge of the announcement of the merger between Telxon and Symbol; the events leading up to the concluded merger; her discussions with representatives of Telxon and Symbol concerning her contracts; and Defendants' breach of the contracts.

- b. John Paxton
Adams Landing
East Pete Rose Way
Cincinnati, OH
847-7932690 (w)

As the former president and CEO of Telxon, Mr. Paxton likely has knowledge of all facts surrounding Crumpler's negotiations with Telxon; his authority as Telxon's CEO and president;

Exhibit H

the terms and conditions of Crumpler's employment with Telxon; the execution of the contracts at issue; Crumpler's employment with Telxon; the events leading up to the merger between Telxon and Symbol; his discussions with representatives of Telxon and Symbol concerning Crumpler's contracts and similar change in control agreements; and Defendants' breach of the contracts with Crumpler.

- c. William ("Woody") McGee
2263 Kyle Drive
Boone County, KY
(859) 586-1229

McGee is the former CFO of Telxon. He has knowledge of Paxton's authority and the management of Telxon; his communications with Paxton and representatives of Symbol concerning Crumpler's contracts; the disclosure of Crumpler's contracts during the due diligence process after the announced merger between Telxon and Symbol; Symbol's efforts to alter Crumpler's contracts; the events leading up to and surrounding the merger between Telxon and Symbol; and facts refuting the alleged defenses of Telxon and Symbol in this case.

- d. Robert Bradshaw
(address and telephone number unknown)

Mr. Bradshaw was a vice president for human resources at Telxon. He likely has knowledge of certain aspects of Crumpler's contracts with Telxon and his communications with Paxton, McGee and other representatives of Telxon. After the merger, Bradshaw became Symbol's Senior Director for Human Resources. As such, he has knowledge of communications with Symbol's officers concerning Crumpler's contracts and the breach of such agreements by Telxon and Symbol.

- e. Beth Staples
(address and telephone number unknown)

As in-house counsel for Telxon, Ms. Staples has knowledge of events surrounding the execution of Crumpler's contracts.

- f. Tomo Razmilovic
(address and telephone number unknown)

As the former president and CEO of Symbol, Razmilovic has knowledge of the events leading up to and surrounding the merger between Telxon and Symbol; the restrictions on Telxon during the negotiation process; the disclosure of Crumpler's contracts during the due diligence process; his communications with representatives of Telxon concerning Crumpler's contracts; and the breach of such contracts by Telxon and Symbol.

- g. John Castle
(address and telephone number unknown)

Mr. Castle, the former controller for Telxon, reported to Woody McGee in Telxon's finance department. He likely has knowledge of communications with McGee and Paxton concerning Crumpler's relocation agreement

- h. Doug Froh
(address unknown)
(513) 625-4185

Mr. Froh has knowledge of his disclosure to Crumpler of and her reaction to the announced merger between Telxon and Symbol and Crumpler's employment with Telxon.

- i. Board of Directors (unknown at present)
Telxon Corporation

The members of Telxon's board of directors during 1999 and 2000 have knowledge of Paxton's authority as Telxon's former president and CEO and the validity of the "lack of authority" defense alleged by Telxon and Symbol. One such board member was Robert Goodman, a partner with the law firm Goodman Weiss Miller LLP, counsel for Telxon and Symbol in this litigation.

2. Documents Relevant to this Action

Crumpler identifies and produces copies of the following documents in her possession, custody or control that she may use to support her claims in this case:

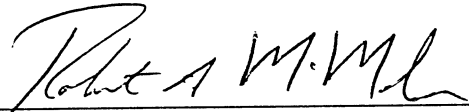
- Fax and offer letter from Telxon to Crumpler dated June 8, 2000
- Offer letter signed and dated by Crumpler on June 14, 2000
- Letter agreement between Crumpler and Telxon dated June 8, 2000
- Employment Agreement between Telxon and Crumpler made and effective as of June 8, 2000
- Amendment to letter agreement dated June 29, 2000
- Relocation Agreement dated October 20, 2000
- Yahoo! Finance announcement of merger between Telxon and Symbol dated July 26, 2000
- Letter dated February 1, 2001 from Symbol to Crumpler
- Telxon's check number 23340 dated January 26, 2001 and payable to Crumpler in the amount of \$8,971.11, which Crumpler returned to Telxon and Symbol.

3. Computation of damages

Plaintiff's damages exceed \$300,000, based on two years of her base salary under the change in control agreement; plus all costs and attorneys' fees, as provided in paragraph 5(c) of the change in control agreement; plus prejudgment interest at the statutory rate of 10% per year; plus punitive damages.

4. Insurance Agreements

There is no policy under which any insurance company may be liable to satisfy part of any judgment in this case.



Robert A. McMahon
Eberly McMahon Hochscheid LLC
3700 Eastern Avenue
Cincinnati, OH 45226
(513) 533-3441
(513) 533-3554 (fax)
bob.mcmahon@fuse.net

Attorneys for Plaintiff, Hughette Crumpler

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon counsel for Defendants, Jon J. Pinney, Esq., Goodman Weiss Miller LLP, 100 Erieview Plaza, 27th Floor, Cleveland, Ohio 44114-1882, by regular U.S. Mail, this 29th day of July, 2002.

